IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Carl Gustav FIGDOR et al.

Serial No.: 10/625,202 Examiner: Not yet assigned

Filed: 23 July 2003 Group Art Unit: 1645

FOR: COMPOSITION AND METHOD FOR MODULATING DENDRITIC CELL-T CELL INTERACTION

PETITION UNDER 37 C.F.R. § 1.182

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Notice to File Corrected Application Papers mailed 28 June 2004, submitted herewith is a copy of Figure 8 of the above-identified patent application together with a Supplemental Preliminary Amendment and Response to Notice to File Corrected Application Papers. This Petition is accompanied by the fee required under 37 C.F.R. § 1.17(h).

This Petition requests that the Figure 8 submitted herewith be accepted as a part of the above-identified patent application and that the patent application be accorded a filing date of 23 July 2003 with priority to parent applications as claimed in the application as filed. According to the PTO records, no Figure 8 was submitted at the time the Application was filed. Applicants urge that Figure 8 was filed with the application papers submitted 23 July 2003 and have enclosed a copy of the postcard submitted with those papers and returned by the U.S. PTO with a barcode sticker indicating the serial number for the application, the postcard (as well as the Application Transmittal Letter submitted 23 July 2003) indicating that 14 pages of drawings were submitted.

Additionally, Applicants urge that Figure 8 was a part of the application as filed on 23 July 2003 because this application was filed as a divisional application together with a Preliminary Amendment which inserted language on page 1, at line 2, which included the continuing data claiming priority to the various parent applications and including the sentence, "All of the foregoing applications are hereby incorporated herein by reference in their entirety." The "foregoing applications" include, e.g., U.S. Application No. 09/719,961 and International Application No. PCT/NL00/00253, both of which include the Figure 8 which the PTO states was lacking from the filed papers of the present application. Because of the incorporation by reference, it is urged that the present application as filed did in fact include Figure 8 regardless of whether the page showing Figure 8 was missing from the papers as filed. Applicants certify that the Figure 8 submitted herewith is identical to the Figure 8 of parent applications U.S. 09/719,961 and PCT/NL00/00253 which should both be of record at the PTO and which were both incorporated by reference in their entirety into the present Application. Applicants hereby petition that Figure 8 be made a part of the present application (10/625,202) and that the present application retain its filing date of 23 July 2003.

It is further requested that the petition fee be refunded because it is urged that Figure 8 was in fact a part of the present Application as filed.

Respectfully submitted,

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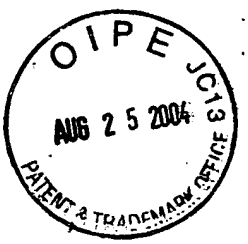
Attorney Docket No. 89 DIV



Docket No: 89DER2 Date of Mailing: July 23 2003
In The United States Patent and Trademark Office
Applicant: Figdor et al. Appln No: Unassigned
Filing Date: Concurrently herewith
For: Composition and method for Modulating
Dendritic Cell-T Cell Interaction
Mail Stop Patent Application
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

21910 U.S. PTO
10/625202
07/23/03

-Cert of Mailing - Appln. Transmittal letter
-Preliminary Amendment
-Appln. Including Spec, claims, abstract, & 4 pgs of Seq. list.
- 14 sheets of Drawings - Return Postcard
-Executed copy of combined Declaration and Power of Attorney

ABSTRACT

The present invention relates to the use of a compound that binds to a C-type lectin on the surface of a dendritic cell, in the preparation of a composition for modulating, in particular reducing, the immune response in an animal, in particular a human or another mammal. The composition in particular modulates the interactions between a dendritic cell and a T-cell, more specifically between a C-type lectin on the surface of a dendritic cell and an ICAM receptor on the surface of a T-cell. The compositions can be used for preventing/inhibiting immune responses to specific antigens, for inducing tolerance, for immunotherapy, for immunosuppression, for the treatment of autoimmune diseases, and the treatment of allergy. The compound that binds to a C-type lectin is preferably chosen from mannose, fucose, plant lectins, antibiotics, sugars, proteins or antibodies against C-type lectins. The invention also relates to such antibodies.

Fig 8